GOVERNMENT OF INDIA
LABOUR
LOK SABHA

UNSTARRED QUESTION NO:4977
ANSWERED ON:20.12.2000
NON-IMPLEMENTATION OF I.D. ACT
IQBAL AHMED SARADGI;MD ANWARUL HAQUE;SUKDEO PASWAN;VARKALA RADHAKRISHNAN

Will the Minister of LABOUR be pleased to state:

(a) whether the Government are aware that the Supreme Court has expressed serious concern over the inaction of the Government for the non-implementation of the amendments to the definition of `Industry` as mentioned in the Industrial Dispute Act, 1947;

(b) if so, the details of the observations made by the court alongwith the reasons for not implementing the I.D. Act so far; and

(c) the steps taken/proposed to be taken by the Government to implementation of the said Act?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI MUNI LALL)

(a), (b) & (c): It has come to the notice of the Government through the Press that the Hon`ble Supreme Court Bench ina case where the question to be decided was whether the Agricultural Produce Market Committee established under the Karnataka Agricultural Produce Market (Regulation) Act, 1966 was anindustry under the I.D.Act, 1947, has made certain observations about non-enforcement of the definition of `Industry` as amended under Section 2(c) of the Industrial Disputes (Amendment) Act, 1982. It has not been considered possible to bring into force the provisions of Section 2 (c) (Definition of `Industry`) of the Industrial Disputes (Amendment) Act, 1982 in view of the fact that an alternative grievance redressal machinery covering institutions/establishments etc. which are to be excluded from the purview of the I.D.Act, 1947, is not yet available. The amended definition of `Industry` could be enforced when the alternative grievance redressal machinery is made available to the excluded categories of industries.